

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

HYC LOGISTICS, INC.,)	
)	
Plaintiff/)	
Counter-Defendant,)	
)	
v.)	No. 23-cv-02050-TLP-tmp
)	
JACOB WEISS, INDIVIDUALLY,)	
)	
Defendant,)	
)	
and)	
)	
OJCOMMERCE, LLC D/B/A)	
OJ COMMERCE, LLC,)	
)	
Defendants/)	
Counter-Plaintiffs,)	
)	
v.)	
)	
ITAMAR ARONOV, URI SILVER,)	
ANTONIO HERNANDEZ,)	
DAYANA DIAZ, and)	
562 EXPRESS, INC.,)	
)	
Counter-Defendants.)	

ORDER GRANTING MOTIONS AT ECF NOS. 172 & 175

Before the court are two motions:

- (1) Counter-Defendants' Motion to Compel Depositions, filed on May 14, 2024. (ECF No. 172.) This motion was referred on May 15, 2024. (ECF No. 173.)

(2) Defendant OJCommerce, LLC's ("OJCommerce") Cross-Motion to Compel Depositions, filed on May 20, 2024. (ECF No. 175.) This motion was referred on May 21, 2024. (ECF No. 176.)

The remaining motion before the undersigned (ECF No. 185) will be disposed of by separate order. The parties are disputing over scheduling of four depositions: the fact deposition of counter-defendant Dayana Diaz and the Rule 30(b)(6) depositions of defendant OJCommerce, plaintiff HYC Logistics, Inc. ("HYC"), and counter-defendant 562 Express, Inc. ("562"). Between the two motions and their accompanying responses, each party accuses the other of intentional delay and obfuscation. (ECF No. 175 at PageID 2368; ECF No. 178 at PageID 2384.) On numerous occasions, the undersigned has asked – and then ordered – these parties to deliberate amongst themselves to resolve these completely ordinary discovery issues. The undersigned then set a hearing on these motions for June 18, 2024, requiring that all counsel be present. (ECF No. 179.) Prior to the hearing the parties agreed to and noticed the four depositions. The parties then informed the undersigned about the details of each during the June 18 hearing. The undersigned details each below.

(1) Rule 30(b)(6) Deposition of HYC: This deposition is to take place at 10:00 a.m. Central Standard Time on July 10, 2024 in person at the offices of Burch, Porter &

Johnson, PLLC, 130 North Court Avenue, Memphis, TN 38103, before a Notary Public, or other person authorized by law to administer oaths.” (ECF No. 190.) Uri Silver, President and Owner of HYC, will serve as the corporate deponent. (ECF No. 200.) The parties represented to the undersigned during the June 18 hearing that Aaron Davis will be representing the defendants and either Yosef Horowitz or Joshua Kahane will be representing the plaintiff.

(2) Deposition of Dayana Diaz: This deposition is to take place in person on July 17, 2024, at 10:00 AM Pacific Standard Time at 145 S Fairfax Ave #200 Los Angeles, CA 90036. (ECF No. 191.) The parties represented to the undersigned during the June 18 hearing that Shlomo Hecht will be representing the counter-plaintiffs and Yosef Horowitz will be representing Diaz.

(3) Rule 30(b)(6) Deposition of 562: This deposition is to take place in person on July 18, 2024, at 10:00 AM Pacific Standard Time at 145 S Fairfax Ave #200 Los Angeles, CA 90036. (ECF No. 192.) Counsel for the counter-defendants represented to the court that Antonio Hernandez, a Vice President at 562, would serve as the corporate deponent. The parties represented to the undersigned during the June 18 hearing that Shlomo Hecht

will be representing the counter-plaintiffs and Yosef Horowitz will be representing 562.

- (4) Rule 30(b)(6) Deposition of OJCommerce: This deposition is to take place on July 9, 2024 at 9:00 A.M. Central Standard Time at the law offices of Glankler Brown, PLLC, 6000 Poplar Avenue, Suite 400, Memphis, TN 38119. (ECF No. 193.) The parties represented to the undersigned during the June 18 hearing that Aaron Davis will be representing the defendant and Yosef Horowitz and Joshua Kahane will be representing HYC and the counter-defendants. Counsel for OJCommerce was non-committal as to who the corporate deponent would be.

As stated at the hearing, OJCommerce has until July 25, 2024, at noon to provide opposing counsel with the name of the person who will serve as its corporate deponent for its 30(b)(6) deposition. These motions are therefore GRANTED.

IT IS SO ORDERED.

s/Tu M. Pham
TU M. PHAM
Chief United States Magistrate Judge

June 25, 2024
Date